

1722 of this title is fully implemented, the Attorney General shall enter the data described in subsection (a) of this section into an existing data system being used to determine the admissibility or deportability of aliens.

(Pub. L. 107–173, title III, §308, May 14, 2002, 116 Stat. 556.)

ABOLITION OF IMMIGRATION AND NATURALIZATION  
SERVICE AND TRANSFER OF FUNCTIONS

For abolition of Immigration and Naturalization Service, transfer of functions, and treatment of related references, see note set out under section 1551 of this title.

**§ 1738. Identification documents for certain newly admitted aliens**

Not later than 180 days after May 14, 2002, the Attorney General shall ensure that, immediately upon the arrival in the United States of an individual admitted under section 1157 of this title, or immediately upon an alien being granted asylum under section 1158 of this title, the alien will be issued an employment authorization document. Such document shall, at a minimum, contain the fingerprint and photograph of such alien.

(Pub. L. 107–173, title III, §309, May 14, 2002, 116 Stat. 556.)

ABOLITION OF IMMIGRATION AND NATURALIZATION  
SERVICE AND TRANSFER OF FUNCTIONS

For abolition of Immigration and Naturalization Service, transfer of functions, and treatment of related references, see note set out under section 1551 of this title.

SUBCHAPTER IV—INSPECTION AND  
ADMISSION OF ALIENS

**§ 1751. Study of the feasibility of a North American National Security Program**

**(a) In general**

The President shall conduct a study of the feasibility of establishing a North American National Security Program to enhance the mutual security and safety of the United States, Canada, and Mexico.

**(b) Study elements**

In conducting the study required by subsection (a) of this section, the President shall consider the following:

**(1) Preclearance**

The feasibility of establishing a program enabling foreign national travelers to the United States to submit voluntarily to a preclearance procedure established by the Department of State and the Immigration and Naturalization Service to determine whether such travelers are admissible to the United States under section 1182 of this title. Consideration shall be given to the feasibility of expanding the preclearance program to include the preclearance both of foreign nationals traveling to Canada and foreign nationals traveling to Mexico.

**(2) Preinspection**

The feasibility of expanding preinspection facilities at foreign airports as described in

section 1225a of this title. Consideration shall be given to the feasibility of expanding preinspections to foreign nationals on air flights destined for Canada and Mexico, and the cross training and funding of inspectors from Canada and Mexico.

**(3) Conditions**

A determination of the measures necessary to ensure that the conditions required by section 1225a(a)(5) of this title are satisfied, including consultation with experts recognized for their expertise regarding the conditions required by that section.

**(c) Report**

Not later than 1 year after May 14, 2002, the President shall submit to the appropriate committees of Congress a report setting forth the findings of the study conducted under subsection (a) of this section.

**(d) Authorization of appropriations**

There are authorized to be appropriated such sums as may be necessary to carry out this section.

(Pub. L. 107–173, title IV, §401, May 14, 2002, 116 Stat. 557.)

ABOLITION OF IMMIGRATION AND NATURALIZATION  
SERVICE AND TRANSFER OF FUNCTIONS

For abolition of Immigration and Naturalization Service, transfer of functions, and treatment of related references, see note set out under section 1551 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1731 of this title.

**§ 1752. Staffing levels at ports of entry**

The Immigration and Naturalization Service shall staff ports of entry at such levels that would be adequate to meet traffic flow and inspection time objectives efficiently without compromising the safety and security of the United States. Estimated staffing levels under workforce models for the Immigration and Naturalization Service shall be based on the goal of providing immigration services described in section 1356(g) of this title within 45 minutes of a passenger's presentation for inspection.

(Pub. L. 107–173, title IV, §403(b), May 14, 2002, 116 Stat. 559.)

ABOLITION OF IMMIGRATION AND NATURALIZATION  
SERVICE AND TRANSFER OF FUNCTIONS

For abolition of Immigration and Naturalization Service, transfer of functions, and treatment of related references, see note set out under section 1551 of this title.

**§ 1753. Joint United States-Canada projects for alternative inspections services**

**(a) In general**

United States border inspections agencies, including the Immigration and Naturalization Service, acting jointly and under an agreement of cooperation with the Government of Canada, may conduct joint United States-Canada inspections projects on the international border between the two countries. Each such project may

provide alternative inspections services and shall undertake to harmonize the criteria for inspections applied by the two countries in implementing those projects.

**(b) Annual report**

The Attorney General and the Secretary of the Treasury shall prepare and submit annually to Congress a report on the joint United States-Canada inspections projects conducted under subsection (a) of this section.

**(c) Exemption from Administrative Procedure Act and Paperwork Reduction Act**

Subchapter II of chapter 5 of title 5 (commonly referred to as the “Administrative Procedure Act”) and chapter 35 of title 44 (commonly referred to as the “Paperwork Reduction Act”) shall not apply to fee setting for services and other administrative requirements relating to projects described in subsection (a) of this section, except that fees and forms established for such projects shall be published as a notice in the Federal Register.

(Pub. L. 107-173, title IV, § 404, May 14, 2002, 116 Stat. 560.)

ABOLITION OF IMMIGRATION AND NATURALIZATION  
SERVICE AND TRANSFER OF FUNCTIONS

For abolition of Immigration and Naturalization Service, transfer of functions, and treatment of related references, see note set out under section 1551 of this title.

SUBCHAPTER V—FOREIGN STUDENTS AND  
EXCHANGE VISITORS

**§ 1761. Foreign student monitoring program**

**(a) Omitted**

**(b) Information required of the visa applicant**

Prior to the issuance of a visa under subparagraph (F), subparagraph (M), or, with respect to an alien seeking to attend an approved institution of higher education, subparagraph (J) of section 1101(a)(15) of this title, each alien applying for such visa shall provide to a consular officer the following information:

- (1) The alien’s address in the country of origin.
- (2) The names and addresses of the alien’s spouse, children, parents, and siblings.
- (3) The names of contacts of the alien in the alien’s country of residence who could verify information about the alien.
- (4) Previous work history, if any, including the names and addresses of employers.

**(c) Transitional program**

**(1) In general**

Not later than 120 days after May 14, 2002, and until such time as the system described in section 1372 of this title is fully implemented, the following requirements shall apply:

**(A) Restrictions on issuance of visas**

A visa may not be issued to an alien under subparagraph (F), subparagraph (M), or, with respect to an alien seeking to attend an approved institution of higher education, subparagraph (J) of section 1101(a)(15) of this title, unless—

(i) the Department of State has received from an approved institution of higher education or other approved educational institution electronic evidence of documentation of the alien’s acceptance at that institution; and

(ii) the consular officer has adequately reviewed the applicant’s visa record.

**(B) Notification upon visa issuance**

Upon the issuance of a visa under section 1101(a)(15)(F) or (M) of this title to an alien, the Secretary of State shall transmit to the Immigration and Naturalization Service a notification of the issuance of that visa.

**(C) Notification upon admission of alien**

The Immigration and Naturalization Service shall notify the approved institution of higher education or other approved educational institution that an alien accepted for such institution or program has been admitted to the United States.

**(D) Notification of failure of enrollment**

Not later than 30 days after the deadline for registering for classes for an academic term, the approved institution of higher education or other approved educational institution shall inform the Immigration and Naturalization Service through data-sharing arrangements of any failure of any alien described in subparagraph (C) to enroll or to commence participation.

**(2) Requirement to submit list of approved institutions**

Not later than 30 days after May 14, 2002, the Attorney General shall provide the Secretary of State with a list of all approved institutions of higher education and other approved educational institutions that are authorized to receive nonimmigrants under section 1101(a)(15)(F) or (M) of this title.

**(3) Authorization of appropriations**

There are authorized to be appropriated such sums as may be necessary to carry out this subsection.

(Pub. L. 107-173, title V, § 501, May 14, 2002, 116 Stat. 560.)

CODIFICATION

Section is comprised of section 501 of Pub. L. 107-173. Subsec. (a) of section 501 of Pub. L. 107-173 amended section 1372 of this title.

ABOLITION OF IMMIGRATION AND NATURALIZATION  
SERVICE AND TRANSFER OF FUNCTIONS

For abolition of Immigration and Naturalization Service, transfer of functions, and treatment of related references, see note set out under section 1551 of this title.

**§ 1762. Review of institutions and other entities authorized to enroll or sponsor certain non-immigrants**

**(a) Periodic review of compliance**

Not later than two years after May 14, 2002, and every two years thereafter, the Commissioner of Immigration and Naturalization, in consultation with the Secretary of Education,